THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.4677 OF 2006

Dated: 10-03-2006

Between

Shaik Mohiddin Bee,

W/o. late Shaik Mahaboob,

Rep. by her G.P.A. Holder

Sri Shaik Ismail,

S/o. late Shaik Mahaboob

R/o. Tejaswi Nagar Colony,

Attapur, Hyderabad.

...PETITIONER

AND

The Government of Andhra Pradesh,

Rep. by Additional Secretary,

Environment, Forests, Science and

Technology (FOR IV) Department,

Secretariat, Hyderabad and another.

...RESPONDENTS

ORDER:

Petitioner seeks a Writ of Mandamus to declare the action of the second respondent in not furnishing the enquiry report to her pursuant to the first respondent Memo No.5484/For(IV)/05-1 dated 28.06.2005 even though it was ready by 01.09.2005 as illegal and arbitrary.

Learned counsel for the petitioner submits that the petitioner made a representation before the Honourable Chief Minister on 01.06.2005, which was forwarded to the Principal Chief Conservator of Forests requesting him to get the matter enquired into and update the action taken on the complaint petition in PMS date web site so as to have the information to the Chief Minister's Office.

The said proceedings of the first respondent read as follows:

"CMP-GEN

GOVERNEMNT OF ANDHRA PRADESH

ENVIRONMNET, FORESTS, SCIENCE & TECHNOLOGY (FOR.IV) DEPARTMENT

* * * *

Memo.No.5484/For.IV/05-1 Dated: 28-06-2005

-

Sub: Public Service – Forest Department – Smt. Mohiddinbee,
W/o Late Shaik Mahaboob – Complaint against the staff
of Giddalur Forest Division – Enquiry – Reg.

Ref: From Smt. Mohiddinbee, W/o Late Shaik Mahaboob
Petition Dated: 01-06-2005 addressed to the Hon'ble
CM, received Vide CM's office No.29049/GEN 2005
DT. 22-06-2005.

^^^^^

A copy of the complaint petition received through the reference cited is herewith forwarded to the Prl. Chief Conservator of Forests. He is requested to get the matter enquired into and update the action taken on the complaint petition in PMS date web site, so as to have the information to the Chief Minister's Office."

It is further stated that pursuant to the Government Memo dated 28.06.2005 the first respondent conducted a detailed enquiry on 22.08.2005 in the office of the Divisional Forest

Officer, Giddalur, Prakasam District and the petitioner also attended the said enquiry. Accordingly, the petitioner addressed a letter dated 18.11.2005 to the first respondent requesting him to send the copy of the enquiry report in the above subject.

It is not known whether the second respondent submitted the enquiry report to the first respondent and in the absence of any report received by the first respondent, furnishing a copy of the same to the petitioner does not arise. Petitioner has not given any material particulars with regard to the enquiry report sent to the first respondent by the second respondent and therefore, the petitioner is not entitled for any relief.

The writ petition is accordingly dismissed.

_____

V. ESWARAIAH, J

March 10, 2006

DSK

-